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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

COMPANIA MEXICANA DE AVIACION, S.A.
de C.V.,

Debtor in a Foreign Proceeding

Chapter 15

Case No. 10-14182 (MG)

**EX PARTE APPLICATION FOR ENTRY OF AN ORDER TO
SHOW CAUSE AND SETTING A HEARING ON THE EMERGENCY
MOTION OF EAST TRUST-SUB 12**

EAST Trust-Sub 12 ("EAST"), hereby files this ex parte application ("Application") for entry of an order to show cause, substantially in the form of the order attached hereto as Exhibit A, and setting a hearing on an expedited basis on East Trust-Sub 12's Emergency Motion Emergency Motion Of East Trust-Sub 12 For Relief From Temporary Restraining Order, For A Determination That A Certain Lease Agreement Is Terminated For A Determination That The Automatic Stay Is Not Applicable If An Order Is Entered Recognizing The Concurso Proceeding As A Foreign Main Proceeding And Objection To The Imposition Of A Preliminary Injunction (the "Emergency Motion") EAST requests that its Emergency Motion be scheduled for consideration at the time of the hearing on the debtor's motion for preliminary injunctive relief.

BASIS FOR RELIEF

1. On August 5, 2010, this Court entered the Second Amended Order to Show Cause With Temporary Restraining Order ("TRO") providing, among other things, that the protections of section 362 of the Bankruptcy Code apply to the Debtor. EAST asserts that its Lease and Aircraft are not subject to the automatic stay, and not part of the bankruptcy estate because the Lease was validly terminated pre-motion. EAST contends also that the TRO does not prohibit EAST from repossessing the Aircraft.

2. Mexicana is in unlawful possession of the Aircraft and has no right to continue to withhold the Aircraft from EAST.

3. In light of the foregoing, and in order to prevent irreparable harm to EAST, EAST submits that sufficient cause exists to have the Motion heard on an emergency basis.

NOTICE

4. Notice of this Application has been provided to (i) the Office of the United States Trustee for the Southern District of New York; (ii) the Debtor; and (iii) all parties that have, pursuant to Bankruptcy Rule 2002, formally appeared and have requested service in this Case. In light of the nature of the relief requested, EAST submits that no other or further notice need be provided.

NO PRIOR REQUEST

5. No previous request for the relief requested herein has been made to this or any other court.

WHEREFORE, for the reasons set forth herein EAST respectfully requests that this Court enter an order, substantially in the form attached hereto as Exhibit A, (i) granting the relief requested herein and (ii) granting EAST such other and further relief as the Court deems proper and just.

Dated: August 13, 2010
New York, NY

Respectfully submitted,

By: /s/ Stephen H. Gross
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